

SCOTT SCHOOLS (SCBN 9990)  
United States Attorney

THOMAS MOORE (ASBN 4305-O78T)  
Chief, Tax Division

CYNTHIA STIER (DCBN 423256)  
Assistant United States Attorney  
9<sup>th</sup> Floor Federal Building  
450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7000

Attorneys for the United States of America  
and the Internal Revenue Service



**IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**KATHERINE KRUSS, LARRY O'CONNOR  
and JOHN D. BAILEY,**

**Defendants.**

**KATHERINE KRUSS,**

**Cross-claimant,**

**v.**

**LARRY O'CONNOR and JOHN D. BAILEY,**

**Defendants.**

**Case No. C-06-4942 SI**

**STIPULATED REQUEST  
TO WITHDRAW JURY  
DEMAND AND PROCEED  
WITH A BENCH TRIAL**

IT IS HEREBY STIPULATED AND AGREED by the parties to this action, as set forth by their signatures below that all parties agree to withdraw the request for a trial by jury and that this matter should proceed to trial before the Honorable Susan Illston as a bench trial.

*Stipulated Request to Withdraw Jury  
Demand,  
C-06-4942-SI*

1 Dated: October 9, 2007

/s/ Cynthia Ho  
ROBERT GOLDSTEIN (CSBN 184226)  
CYNTHIA HO  
Law Offices of Robert L. Goldstein  
100 Bush Street, Suite 501  
San Francisco, CA 94104  
Tele. (415-391-8710)  
Attorneys for Katherine Kruss

6 Dated: October 10, 2007

/s/ Jeffrey Setness  
JEFFREY BLAINE SETNESS  
Mayall, Hurley, Knutsen, Smith & Green  
2453 Grand Canal Boulevard  
Stockton, CA 95207  
Tele: 209-477-3833  
Fax: 209-473-4818  
Attorney for Larry O'Connor

SCOTT SCHOOLS  
United States Attorney

13 Dated: October 9, 2007

/s/ Cynthia Stier  
CYNTHIA STIER  
Assistant U.S. Attorney  
Attorneys for the United States

28 *Stipulated Request to Withdraw Jury  
Demand,  
C-06-4942-SI*